

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re:)	
CASSANDRA TATE and)	Case No. 14-34334-mdm
CLAUDE E. DANIELS,)	Chapter 13
)	
Debtors.)	

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Cassandra Tate has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue, Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Nathan E. DeLadurantey
DeLadurantey Law Office, LLC
735 W. Wisconsin Avenue, Suite 720
Milwaukee, WI 53233

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:
 - A. X the Debtor;
 - B. the Chapter 13 Trustee (post-confirmation modifications only);
 - C. the holder of an unsecured claim (post-confirmation only).
 2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
 - A. post-confirmation;
 - B. X pre-confirmation (Select i. or ii.);
 - i. X Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (LBR 3015(b)); or
 - ii. Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
 3. The Proponent wishes to modify the Chapter 13 Plan to do the following: Pay secured portion of proof of claim #18. Increase payment.
 4. The reason(s) for the modification is/are: Feasibility.
 5. Select A. or B.
 - A. The Chapter 13 Plan confirmed or last modified on is modified as follows:
 - B. X The unconfirmed Chapter 13 Plan dated November 26, 2014, is modified as follows:
- 2. Plan Payments**
- The debtor shall pay \$475 every two weeks to the Trustee to maintain plan feasibility.**
5. Priority Claims.
 - (A). Domestic Support Obligations (DSO).

(a) DSO Creditor Name and Address	(b) Estimated Arrearage Claim	(c) Total Paid Through Plan
WI Department of Children and Families 507(a)(1)(B)	\$17,550.17	So long as the debtor applies all of the projected disposable income to make payments under the plan, this DSO need not be paid in full. Any portion of the DSO not paid by the plan is nondischargeable. The DSO is entitled to priority treatment under § 507(a)(1)(B) and shall be paid in full before general unsecured creditors are paid.

6(B)(ii)(a). Secured Claims – Full Payment of Debt Required

(a) Creditor	(b) Collateral	(c) Purchase Date	(d) Claim Amount	(e) Interest Rate	(f) Estimated Monthly Payment	(g) Estimated Total Paid Through Plan
Chrysler Capital	2013 Dodge Avenger	7/2013	\$19,843.00	%5.00	%pro-rata	\$21,830.05
Get It Now	Washer and Dryer purchased from Get it Now	9/2014	\$2,467.00	%4.25	%pro-rata	\$2,675.12
Get it Now	Television	2/2014	\$2,404.00	%4.25	%pro-rata	\$2,673.00

6(A)(ii)(b). Secured Claims – Replacement Value

(a) Creditor	(b) Collateral	(c) Purchase Date	(d) Replacement Value/Debt	(e) Interest Rate	(f) Estimated Monthly Payment	(g) Estimated Total Paid Through Plan
Get It Now	Couch, Loveseat and Chair	3/2014	Value\$1,500 Debt: \$2,347	%4.25	%pro-rata	\$1,626.57
Get It Now	Two acer laptops	11/18/2013	Value: \$600 Debt: \$1,431	%4.25	%pro-rata	\$650.60

6(C). Surrender of Collateral. This Plan shall serve as notice to creditor(s) of Debtor's intent to surrender the following collateral. Any secured claim filed by a secured lien holder whose collateral is surrendered at or before confirmation will have their secured claim treated as satisfied in full by the surrender of the collateral.

(a) Creditor	(b) Collateral to be surrendered
Get It Now	xbox
WI Auto Title Loans	1998 Dodge Intrepid

7. Unsecured Claims

Creditors with allowed general unsecured claims shall receive not less than \$0.00 or 0%.

10. Special Provisions

The secured portion of proof of claim #18 filed by the State of Wisconsin shall be paid in full through the plan at 0% interest.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

CERTIFICATION

I, Nathan E. DeLadurantey, attorney for debtor, Cassandra Tate, certify that I have reviewed the modification proposed above with the debtors, and that the debtors have authorized me to file it with the court.

/s/ Nathan E. DeLadurantey

Counsel for the debtors

April 23, 2015

Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: April 23, 2015.

DeLadurantey Law Office, LLC
Attorneys for Debtor

/s/

By: Nathan E. DeLadurantey
State Bar No. 1063937

Drafted by:
Daniel T. Beasley
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735 W Wisconsin Ave., Suite 720
Milwaukee, WI 53233
(414) 377-0515; Fax (414) 755-0860
dan@delaw-law.com

A copy of the foregoing filed electronically on April 23, 2015 with:

Clerk, U.S. Bankruptcy Court
517 East Wisconsin Avenue
Milwaukee, WI 53202

Copies of the foregoing mailed or sent electronically if the party named accepts electronic service on April 23, 2015 to:

Office of the U.S. Trustee
517 East Wisconsin Avenue, #430
Milwaukee, WI 53202

Mary B. Grossman
PO Box 510920
Milwaukee, WI 53203

State of Wisconsin Department of Workforce Development
Division of Unemployment Insurance, Collections
PO Box 7888
Madison, WI 53707

/s/Daniel T. Beasley